



Entered on Docket
September 16, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Third Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based Entirely Upon Investment In
The Fox Hills 216, LLC Loan**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m..

The Court having considered the "Third Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in The Fox Hills 216, LLC Loan," ("Fox Hills Loan") [DE 8614] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the

1 Claims listed on **Exhibit A** does not affect the direct lenders' right to repayment by the
2 borrower or from the collateral securing the Fox Hills Loan; and good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8614] is sustained; and
5 2. The claims listed on **Exhibit A** attached are disallowed in full because those
6 claims are based entirely upon an investment in the Fox Hills Loan.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**
10

11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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**USACM Trust
Fox Hills 216, LLC
Single Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Foxhill 216, LLC Loan
10725-00440	10/4/2006	Laena Emmerich Survivors Trust DTD 5/18/89	C/O Todd A Humphrey Trustee 18665 Meadowlark CT Penn Valley, CA 95946-9655	100,000.00	100,000.00
10725-01770	12/13/2006	Larson, Gary & Dolores	544 Rolling Hills Dr Mesquite, NV 89027	60,787.00	60,787.00
10725-01115	11/8/2006	Lawson, Paula	*Undeliverable Address* PO Box 18652 Reno, NV 89511	111,214.92	111,214.92
10725-00727	11/8/2006	Louise G Sherk Md Employee Benefit Plan Trust	C/O Robert Di Bias & Louise Sherk Ttees 3830 Ocean Birch Dr Corona Del Mar, CA 92625-1244	101,506.85	101,506.85
10725-00732	11/8/2006	Louise G Sherk Md Employee Benefit Plan Trust	C/O Robert Di Bias & Louise Sherk Ttees 3830 Ocean Birch Dr Corona Del Mar, CA 92625-1244	50,753.42	50,753.42
10725-02252	1/12/2007	Mcquerry Family Trust	William Mcquerry 318 Singing Brook Cir Santa Rosa, CA 95409-6483	100,962.34	100,962.34
10725-01334	11/13/2006	P Morgan Trust	Paula A Morgan Ttee 1005 Windfair Village St Las Vegas, NV 89145-8664	50,000.00	50,000.00
10725-00675	10/23/2006	Ronald G Gardner Trust	C/O Ronald G Gardner Trustee 430 Bavarian Dr Carson City, NV 89705-7010 And c/o Jeffrey L/ Hartman, Esq. 510 West Plumb Lane, Suite B Reno, NV 89509	50,000.00	50,000.00
10725-00458	10/5/2006	Sabia, Joseph & Victoria Spring, Donald W & Evelyn Mae	2720 E Quail Ave Las Vegas, NV 89120 3153 Canyon Oaks Ter Chico, CA 95928-3987	63,000.00	63,000.00
10725-01790	12/13/2006			53,156.00	53,156.00

EXHIBIT A

2415811.1